

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF OHIO  
WESTERN DIVISION**

<b>UNITED STATES OF AMERICA,</b>	:	
	:	<b>CASE NO. 1:20-CR-142</b>
<b>Plaintiff,</b>	:	
	:	<b>JUDGE COLE</b>
<b>v.</b>	:	
	:	<b><u>GOVERNMENT RESPONSE TO</u></b>
<b>ALEXANDER SITTENFELD,</b>	:	<b><u>DEFENDANT'S MOTION TO REVISE</u></b>
<b>a/k/a "P.G. Sittenfeld,"</b>	:	<b><u>EXISTING CALENDAR ORDER</u></b>
<b>Defendant.</b>	:	
	:	

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The government disagrees with the premise of the Defendant's Motion to Revise Existing Calendar Order. (Doc. 83 at PageID 853). The government has made clear that it will provide Jencks Act (witness statements) and *Giglio* (impeachment) material at least 30 days before trial, well before required under the law or the common practice in this Court.<sup>1</sup> The government has already produced a substantial amount of Jencks Act material in the course of discovery. The government intends to provide its exhibits and witness list to the Court consistent with this Court's order, which is consistent with the procedures followed in this District. *See also United States v. Perkins*, 994 F.2d 1184, 1190 (6th Cir. 1993) (defendant not entitled to government witness list pretrial); *United States v. Prince*, 618 F.3d 551, 562 (6th Cir. 2010) (same regarding exhibit list). Thus, the government is not "withholding full disclosure," as the Defendant states—it is following the law and this Court's procedures in criminal cases.

With that said, the government does not oppose a reasonable extension of the motions filing deadline in the current scheduling order if an extension is necessary for preparation of the defense.

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<sup>1</sup> This issue has been thoroughly briefed in response to the Defendant's motions to compel, and the government rests on those filings.

Respectfully submitted,

KENNETH L. PARKER  
United States Attorney

*s/ Matthew C. Singer*

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MATTHEW C. SINGER (IL 6297632)  
EMILY N. GLATFELTER (0075576)  
MEGAN GAFFNEY PAINTER (NY  
4849220)  
Assistant United States Attorneys  
221 East Fourth Street, Suite 400  
Cincinnati, Ohio 45202  
Office: (513) 684-3711  
Fax: (513) 684-6385  
Email: [Matthew.Singer@usdoj.gov](mailto:Matthew.Singer@usdoj.gov)  
E-mail: [Emily.Glatfelter@usdoj.gov](mailto:Emily.Glatfelter@usdoj.gov)  
E-mail: [Megan.Painter@usdoj.gov](mailto:Megan.Painter@usdoj.gov)

**CERTIFICATE OF SERVICE**

I hereby certify that the foregoing was filed with the Court's CM/ECF System this 12th day of April 2022, which provides electronic notice to all parties.

*s/ Matthew C. Singer*

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MATTHEW C. SINGER (IL 6297632)  
Assistant United States Attorney